

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)  
BOIES, SCHILLER & FLEXNER LLP  
150 John F. Kennedy Parkway  
Short Hills, New Jersey 07078  
(973) 218-1111  
Counsel for Plaintiff  
BROADCOM CORPORATION

BROADCOM CORPORATION,

Plaintiff,

v.

QUALCOMM INCORPORATED,

Defendant.

Civil Action No. 05-3350

**NOTICE OF MOTION TO ADMIT  
STEVEN J. KAISER *PRO HAC VICE***

TO: William J. O'Shaughnessy  
McCarter & English  
Four Gateway Center  
100 Mulberry St.  
Newark, NJ 07102

David R. Marriott  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, New York 10019

Attorneys for Defendant

PLEASE TAKE NOTICE, that on May 15, 2006 at 9:30 a.m., or as soon as counsel may be heard, the undersigned attorneys for Plaintiff Broadcom Corporation will move before the Hon. John J. Hughes, at the Clarkson S. Fisher Building & U.S. Courthouse, 402 East State Street, Trenton, New Jersey 08608, for an Order pursuant to L.Civ.R. 101.1(c) granting **Steven J.**

**Kaiser** of the firm Cleary Gottlieb Steen & Hamilton LLP, 2000 Pennsylvania Avenue, NW, Washington, DC 20006, admission to this Court *pro hac vice*. The basis for this motion is set forth by counsel for Plaintiff, David S. Stone, in the attached Affidavit in Support of Plaintiff's Motion for an Order to admit Steven J. Kaiser *pro hac vice*. Defendant's Counsel, Cravath, Swaine & Moore LLP have consented to this motion.

A Consent Order is attached.

  
David S. Stone (DS 8580)

Dated: April 20, 2006

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)  
BOIES, SCHILLER & FLEXNER LLP  
150 John F. Kennedy Parkway  
Short Hills, New Jersey 07078  
(973) 218-1111  
Counsel for Plaintiff  
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>QUALCOMM INCORPORATED,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 05-3350</p> <p><b>AFFIDAVIT OF DAVID S. STONE IN SUPPORT OF PLAINTIFF'S MOTION TO ADMIT STEVEN J. KAISER <i>PRO HAC VICE</i></b></p>
--	--

STATE OF NEW JERSEY    )  
  ) SS:  
COUNTY OF ESSEX        )

DAVID S. STONE, having been duly sworn according to his oath, deposes and says:

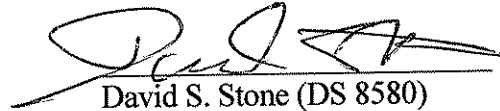
1. I am an attorney at law in the State of New Jersey and a member of the bar of this Court, as well as a member of the law firm of Boies, Schiller & Flexner LLP, which represents Plaintiff Broadcom Corporation in the above matter. I have personal knowledge of what is stated below and make this Affidavit in support of a motion, pursuant to L.Civ.R. 101.1(c), to admit Steven J. Kaiser *pro hac vice* in the above matter.

2. Mr. Kaiser is a member of the firm Cleary Gottlieb Steen & Hamilton LLP, located at 2000 Pennsylvania Avenue, NW, Washington, DC 20006, and has been asked by plaintiff

Broadcom to be involved in this case because of his extensive experience with the antitrust issues at issue in this case, and his prior experiences with Broadcom in other matters.

3. As more fully set forth in his Affidavit, Mr. Kaiser is a member in good standing of a number of different courts.

4. Upon the admission of Mr. Kaiser *pro hac vice*, I will continue to participate and serve as counsel of record in this matter. In addition, I will ensure that payment is made for Mr. Kaiser to the New Jersey Lawyers' Fund for Client Protection, as provided by R. 1:28-2(a).



David S. Stone (DS 8580)

Sworn to before me and  
subscribed in my presence  
this \_\_\_\_ day of April, 2006.

\_\_\_\_\_  
Notary Public

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)  
BOIES, SCHILLER & FLEXNER LLP  
150 John F. Kennedy Parkway  
Short Hills, New Jersey 07078  
(973) 218-1111  
Counsel for Plaintiff  
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>QUALCOMM INCORPORATED,</p> <p style="text-align: center;">Defendant.</p>	<p style="text-align: center;">Civil Action No. 05-3350</p> <p><b>ORDER ADMITTING STEVEN J. KAISER PRO HAC VICE PURSUANT TO L.Civ.R. 101.1(C)</b></p>
--	---

THIS MATTER, having been brought before the Court by Boies, Schiller & Flexner LLP, counsel for plaintiff Broadcom Corporation in the above matter, for an Order pursuant to L.Civ.R. 101.1(c) permitting Steven J. Kaiser, of Cleary Gottlieb Steen & Hamilton LLP, located at 2000 Pennsylvania Avenue, NW, Washington, DC 20006 to appear and practice *pro hac vice*; and the Court having considered the Affidavit of David S. Stone and the Affidavit of Steven J. Kaiser; and for good cause shown:

IT IS on this \_\_\_\_\_ day of April , 2006;

ORDERED that the motion by Boies, Schiller & Flexner LLP to permit Steven J. Kaiser to appear and participate *pro hac vice* is GRANTED; and

FURTHER ORDERED that all pleadings, brief and other papers filed with the Court shall be signed by David S. Stone, or a member or associate of the firm Boies, Schiller & Flexner LLP,

150 John F. Kennedy Parkway, Short Hills, New Jersey 07078, who is a member in good standing of the bar of this Court, who shall be responsible for said papers and for the conduct of this case and who shall be present before the Court, as well as be held responsible for the conduct of the attorney admitted *pro hac vice* pursuant to the terms of this Order; and

FURTHER ORDERED that Steven J. Kaiser shall pay the annual fee to the New Jersey Lawyers' Fund for Client Protection, in accordance with R. 1:28-2 within 20 days from the dated entry of this Order; and

FURTHER ORDERED that Steven J. Kaiser shall be bound by the Local Civil Rules of the United States District Court for the District of New Jersey, including the provisions of L.Civ.R. 103.1 (Judicial Ethics and Professional Responsibility) and L.Civ.R. 104.1 (Discipline of Attorneys).

---

Hon. John J. Hughes, U.S.M.J.

**CERTIFICATE OF SERVICE**

I hereby certify that on April 20, 2006, I caused to be filed electronically with the Court the within Notice of Motion to Admit Steven J. Kaiser Pro Hac Vice, Affidavits of Steven J. Kaiser and David S. Stone in support thereof, and Order Admitting Steven J. Kaiser Pro Hac Vice, and via Federal Express upon the following parties as counsel for Defendant:

William O'Shaughessy, Esq.  
McCarter & English  
Four Gateway Center  
100 Mulberry Street  
Newark, NJ 07102

David R. Marriott, Esq.  
Cravath, Swaine & Moore LLP  
825 Eighth Avenue  
New York, NY 10019

By: \_\_\_\_\_

  
David S. Stone

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

David S. Stone (DS 8580)  
BOIES, SCHILLER & FLEXNER LLP  
150 John F. Kennedy Parkway  
Short Hills, New Jersey 07078  
(973) 218-1111  
Counsel for Plaintiff  
BROADCOM CORPORATION

<p>BROADCOM CORPORATION,</p> <p style="text-align: center;">Plaintiff,</p> <p style="text-align: center;">v.</p> <p>QUALCOMM INCORPORATED,</p> <p style="text-align: center;">Defendant.</p>	<p>Civil Action No. 05-3350</p> <p><b>DECLARATION OF STEVEN J. KAISER IN SUPPORT OF PLAINTIFF'S <i>PRO HAC</i> <i>VICE</i> MOTION</b></p>
--	---

STEVEN J. KAISER, declares as follows:

1. I was admitted to practice before this Court in 1996 and am also a member in good standing of the Bar of the State of New Jersey, to which I was admitted in 1996, and the Bar of the District of Columbia Court of Appeals, to which I was admitted in 1997. I am also admitted to practice before the United States Courts of Appeals for the District of Columbia and Federal Circuits, and the United States District Court for the District of Columbia. I am in good standing before all of those courts. I have never been suspended or disbarred in any court and I believe myself to be of good moral character.

2. I represent Broadcom Corporation and have appeared in the above-captioned action. I am associated in this matter with David S. Stone of the firm Boies,

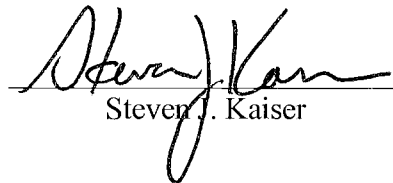


Schiller & Flexner LLP, whose office is located at 150 John F. Kennedy Parkway, Short Hills, New Jersey 07078.

3. As noted, I am a member of the bar of this Court, and have been since 1996. I recently came to understand that, under the rules governing the practice of law in the state of New Jersey, I may be required to obtain permission of this Court nominally to appear *pro hac vice* in this case, despite my general admission to practice before this Court and my membership in good standing in the New Jersey Bar. I therefore make this declaration in support of Broadcom's Motion to allow me to appear in this case on that basis.

4. If admitted on that basis, I will conduct myself in accordance with the Rules governing the conduct of attorneys admitted to practice before this Court, and pay all applicable fees.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 20, 2006.

  
Steven J. Kaiser